



**State of Tennessee
Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, Tennessee 37921
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Notice of Public Meeting

**Public Notice: M2008-22
Issuance Date: November 18, 2008
Last Day to Submit Written Comments: January 20, 2009**

NOTICE IS HEREBY GIVEN, that in response to an NPDES permit application to modify an existing NPDES permit to discharge treated mine runoff into high quality waters the Division of Water Pollution Control, Mining Section, will hold the following public meeting. The meeting is held pursuant to *Rule 1200-4-3-.06* of the Tennessee Department of Environment and Conservation.

**Thursday, January 8, 2009
7:00 p.m. CST
Henry Horton State Park
4358 Nashville Highway
Chapel Hill, Tennessee 37034**

The purpose of the meeting is to consider information presented to the Division regarding the economic and social justification for the expanded discharge of treated mine wastewater and storm water to Exceptional Tennessee Waters (ETWs) by the following applicant:

**Rogers Group, Inc.
646 Highway 99
NPDES Permit TN0066630
Marshall County**

The site is located on State Highway 99 approximately 0.8 miles east of Highway 431, near Pottsville. The specific location coordinates of the site are Latitude 35°37'30" North, Longitude 86°48'29" West.

This facility has been covered by an NPDES permit at its present location since 1993. The current site consists of a limestone quarry, crushing plant, pugmill, and associated areas on 117.7 acres. The majority of wastewater is retained in the quarry pit where it is recycled to the crusher plant for dust suppression. In addition to the quarry pit, four treatment structures will be constructed.

This proposed permit modification is for the addition of Areas F & G that consists of 123.9 acres bringing the total permit acreage to 241.6. These new areas will be located west of the present permit site and will remain undisturbed until Rogers Group, Inc., begins quarrying in a westerly direction. Runoff from the new areas will be directed to the quarry pit for treatment. The quarry pit will enlarge in size as quarrying progresses.

The receiving stream for discharges from the operation is a wet weather conveyance that becomes an unnamed tributary to the Duck River downstream of State Highway 99. The confluence of this unnamed tributary with Duck River is approximately one stream mile downstream from the discharge. Duck River has been identified as Exceptional Tennessee Waters because it is a state scenic river and it contains critical habitat for freshwater mussel species that are Federal and State listed as endangered. This habitat is within a two mile radius of the quarry.

In Exceptional Tennessee Waters, no degradation will be allowed unless and until it is affirmatively demonstrated to the Department that the expanded discharge is justified as a result of necessary economic or social development and it will not interfere with or become injurious to any of the classified uses for such waters.

Rule 1200-4-3-.04 defines “degradation” as the alteration of the properties of waters by the addition of pollutants, but alterations having no measurable or less than a five-percent loss of assimilative capacity will not be considered degradation.

The discharge parameters that are limited by this NPDES permit are Total Suspended Solids (TSS), Oil and Grease, and pH. There is not an approved method to determine the assimilative capacity of streams for TSS. The Division is considering the addition of any pollutant to the stream as degradation.

The company has conducted the required alternatives analysis and provided the necessary social and economic information to justify the expanded discharge. It has also demonstrated the financial and technological capacity to support expanded operations. Sediment and erosion control measures and treatment systems are appropriately sized to treat the wastewater to meet permit effluent limits and water quality standards.

Written comments will be accepted at the meeting and until **January 20, 2009**.

Interested persons may obtain additional information, a copy of the application, and supporting documentation from the permit files maintained at the Mining Section’s office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting Tina Jones by e-mail at Tina.E.Jones@state.tn.us or by phone at (865) 594-5616 to schedule an appointment for the review. A copy of the permit application will be available for review at the meeting.

ADA inquiries should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**). Such contact may be in person, by writing, telephone, or other means and should be made no later than **December 19, 2008**, to allow time to provide such aid or services.